



BOARD OF JUVENILE JUSTICE

April 29, 2021

CALL TO ORDER AND INTRODUCTIONS



CONSIDERATION OF THE DECEMBER 1, 2020 AND MARCH 11, 2021, MINUTES

Proposed Motion: The Board of Juvenile Justice approves the December 1, 2020 and March 11, 2021, minutes as presented.



CONSIDERATION OF GUIDANCE DOCUMENT REGARDING REVIEW AND APPROVAL OF DATA REQUESTS AND RESEARCH PROPOSALS

Kristen Peterson, Regulatory and Policy
Coordinator and Dhara Amin, Senior Research
Associate, Department of Juvenile Justice



Proposed Motion: The Board of Juvenile Justice approves the Guidance Document Interpreting 6VAC35-170, Review and Approval of Data Requests and Research Proposals, submitted in accordance with § 2.2-4002.1 of the *Code of Virginia* and as agreed upon at the April 29, 2021, meeting.



CONSIDERATION OF REQUEST TO SUBMIT AMENDMENTS TO STATE REIMBURSEMENT REGULATIONS (6VAC35-30)

Kristen Peterson, Regulatory and Policy
Coordinator, Department of Juvenile Justice



Summary of Request



- **Amendments to 6VAC35-30**
 - Regulations governing reimbursement requests for construction, renovation, and similar projects for localities
 - Standard Regulatory Process → Advance to Proposed Stage
- **Promulgation of new regulatory chapter, 6VAC35-30**
 - New regulation chapter for projects for which locality does not plan to seek reimbursement

Basis of Regulation



- **Governing Statute – *Code of Virginia* § 16.1-309.5**
 - State required to reimburse localities for ½ the cost of construction, enlargement, or other projects
 - Board must promulgate regulations:
 - Criteria for evaluating reimbursement requests
 - Ensure equitable distribution of state funds
 - Reimbursement funding contingent on approval by Governor
- **Appropriation Act - *Item 422(A), 2021 Appropriation Act***
 - Imposes a moratorium on reimbursement funding
 - Board may not approve or commit additional funds for state share of such costs
 - Exceptions – emergency maintenance projects

Overview of Current Process – Full Regulation



Locality submits overview and graphic to DJJ



DJJ classifies project as subject to: (i) entire chapter, (ii) portion of chapter, or (iii) DJJ procedures



Sponsor submits following to DJJ:

Needs assessment

Evaluates trends and factors and identifies current facilities and programs

Planning study and estimated reimbursement

Project plan and estimated construction costs



Board approves, declines, or recommends changes.
Board determines whether to recommend reimbursement and submits to Governor.

Overview of Current Process – Full Regulation (cont.)



Sponsor submits preliminary design documents; DJJ reviews



Project advances to construction documents phase; DJJ reviews



Sponsor receives bids and submits tabulation and recommendation; DJJ may comment



Sponsor submits monthly progress reports during construction



Sponsor establishes schedule for inspection after construction

Other regulatory agencies provide approvals, as needed



DJJ authorizes reimbursement within 90 days. Sponsor justifies any cost increase and submits to board and Governor for approval

Overview of Current Process – Other Facility Enhancements – 180



Sponsor submits project overview and cost estimates to the board



Once project complete, sponsor submits documentation specified by DJJ procedures



DJJ and board may require additional information

Notable Changes



- **Simplify Process for Localities Not Seeking Funding**
 - Current regulation: All localities must undergo same process, even where no reimbursement sought
 - Question as to board's authority
 - Some requirements unnecessary outside reimbursement context
 - New process:
 - Localities seeking reimbursement now or in the future – subject to Chapter 30.
 - Localities not seeking reimbursement – subject to new, simplified Chapter 35.

Change Prescreening Requirements (35)



CURRENT REQUIREMENT	PROPOSED CHANGE
Submit brief project description and graphic to DJJ.	Same, but graphic required only if available.
DJJ categorizes proposal – all local proposals subject to regulation even where no reimbursement sought.	DJJ categorizes proposal – if no reimbursement sought, locality must comply with new, simplified reg (Ch. 35).
<ul style="list-style-type: none"> Category 1 – If construction project, project affects compliance, or project will change capacity/sq. footage – comply with all reg provisions 	<ul style="list-style-type: none"> Category 1 – Same.
<ul style="list-style-type: none"> Category 2 – Enhancements not meeting above requirements – comply with Section 180 of reg. 	<ul style="list-style-type: none"> Category 2 – Same.
<ul style="list-style-type: none"> Category 3 – Minor changes – comply with DJJ procedures. 	<ul style="list-style-type: none"> Category 3 – No longer require DJJ prescreening.

Notable Changes



- **Clarify Process for Emergency Maintenance Projects (§ 45)**
 - Appropriation Act preserves state reimbursement funding for emergency maintenance projects needed to address immediate life safety issues in juvenile facilities
 - Emergency maintenance project subject to same requirements as other projects for which reimbursement funding sought
 - Start with prescreening
 - Regulatory provisions apply based on classification

Notable Changes



- **Repeal Funding Formula (§ 65)**
 - **Current regulation** - Localities engaged in applicable projects must follow funding formula
 - Comparative formula based on construction in other localities
 - Formula historically helped control construction and renovation costs for localities
 - No longer a reliable basis for these comparisons
 - **Proposal** - repeals funding formula
 - A/E may determine construction costs based on expertise
 - Conforming changes to other sections

Notable Changes



- **Change/Establish Deadlines**

- Changes all business-day designations to calendar days.
- Sets 45-day deadline for DJJ review of needs assessment (§ 42), preliminary design documents (§ 90)
 - No deadline under current regulation
- Changes board deadline for considering needs assessment and planning study
 - As soon as reasonably practicable, rather than at next regularly scheduled board meeting

Notable Changes



- **Changes to Project (§ 110)**

- ***Current Regulation*** – DJJ **required** to suspend review process until locality resubmits project for: 1) substantive changes in project scope; 2) increases in estimated construction costs; or 3) changes in operational staff requirements during project development
- ***Proposal*** –
 - Makes project suspension discretionary
 - Triggers apply only to changes tied to reimbursement
 - Removes changes in operational staff (#3) as trigger
 - DJJ may determine next steps upon suspension

Notable Changes



- **Failure to Initiate Construction (§ 115) – New provision**
 - Locality must execute construction contract within 3 years of planning study approval
 - If not, board may grant extension upon sponsor's request or require sponsor to amend needs assessment
- **Changes to Project (§ 130)**
 - ***Current Regulation*** – Locality shall submit substantive changes occurring during construction phase to DJJ before executing the change
 - ***Proposal*** – Substantive changes include:
 - Increases in project cost of \$50,000 or more, or
 - Accumulated change orders exceeding 25% of contract

Notable Changes



- **Construction Submissions (§ 130)**
 - ***Current Regulation*** – Sponsor shall submit monthly inspection or progress reports by 15th of each month
 - ***Proposal*** – Sponsor shall submit both on a monthly basis according to schedule adopted by sponsor
 - Sponsor must explain and identify plan for addressing issues uncovered in either report

New Chapter For Non-Reimbursement Projects (Ch. 35)



Prescreening – Same submission and classification process

Needs Assessment and Planning Study: Not required. Sponsor submits project overview explaining project purpose and objective

- DJJ reviews and provides written comments

Construction/Bidding:

- Sponsor provides DJJ with working drawings, specs, and local approvals
- DJJ reviews documents and provides written comments
- DJJ plays no role in bidding phase
- No monthly inspection or progress reports required

Design Changes and Changes During Construction

- Substantive change in scope during project development- same process
- Substantive change during construction – sponsor must submit written explanation to DJJ
 - No authority for DJJ to approve or reject such changes

New Chapter for Non-Reimbursement Projects (Ch. 35)



Final Inspection (80)– Same

Record Documents (90) – Differs from reimbursement provisions - need not comply with CPSM.

Compliance – Failure to comply may result in forfeiture of board certification or DJJ approval to house residents in facility.

Proposed Motion: The Board of Juvenile Justice approves amendments to the Regulation Governing State Reimbursement of Local Juvenile Residential Facility Costs (6VAC35-30) and the promulgation of a new regulatory chapter, Regulation Governing the Process for Planning, Designing and Constructing Locally Funded Juvenile Residential Facilities (6VAC35-35), as agreed upon at the April 29, 2021, meeting, for advancement to the Proposed Stage of the regulatory process.



CONSIDERATION OF THE VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT PLAN CHANGE FOR THE CITY OF ALEXANDRIA

Jenna Easton, Program Manager, Department of
Juvenile Justice



The City of Alexandria has submitted a revised VJCCCA Plan for FY 2021 and FY 2022 with balanced budgets for both years. The plan has been reviewed by DJJ staff and is recommended for approval by the Board for year one and year two (July 1, 2020 through June 30, 2022) of the 2021-2022 biennium.

Proposed Motion: The Board of Juvenile Justice approves the revised proposed VJCCCA Plan for the City of Alexandria through June 30, 2022.



Department of Juvenile Justice Data Resource Briefing

April 7, 2021

Jessica Schneider, PhD
Research Manager



**Virginia Department of
Juvenile Justice**



DJJ Transformation Plan

Reduce

Implement uniform, effective, evidence-based and data-driven probation practices

Use data and evidence to modify Direct Care Length of Stay (LOS) policy

Develop more alternative placements for committed youth

Reform

Enhance JCC treatment services

Implement Community Treatment Model (CTM)

Improve educational and vocational programming

Strengthen family engagement

Enhance reentry planning and parole services

Replace

Develop a statewide continuum of services by reinvesting savings

Partner with local detention centers to open and operate Community Placement Programs

Build new facilities that are safer, closer, smaller in scale, and designed for treatment

Sustain

Create a culture for retaining a high-performing workforce

Use data to drive plans and decisions

Integrate services into a strategic plan supported by training, quality assurance, funding, and work culture

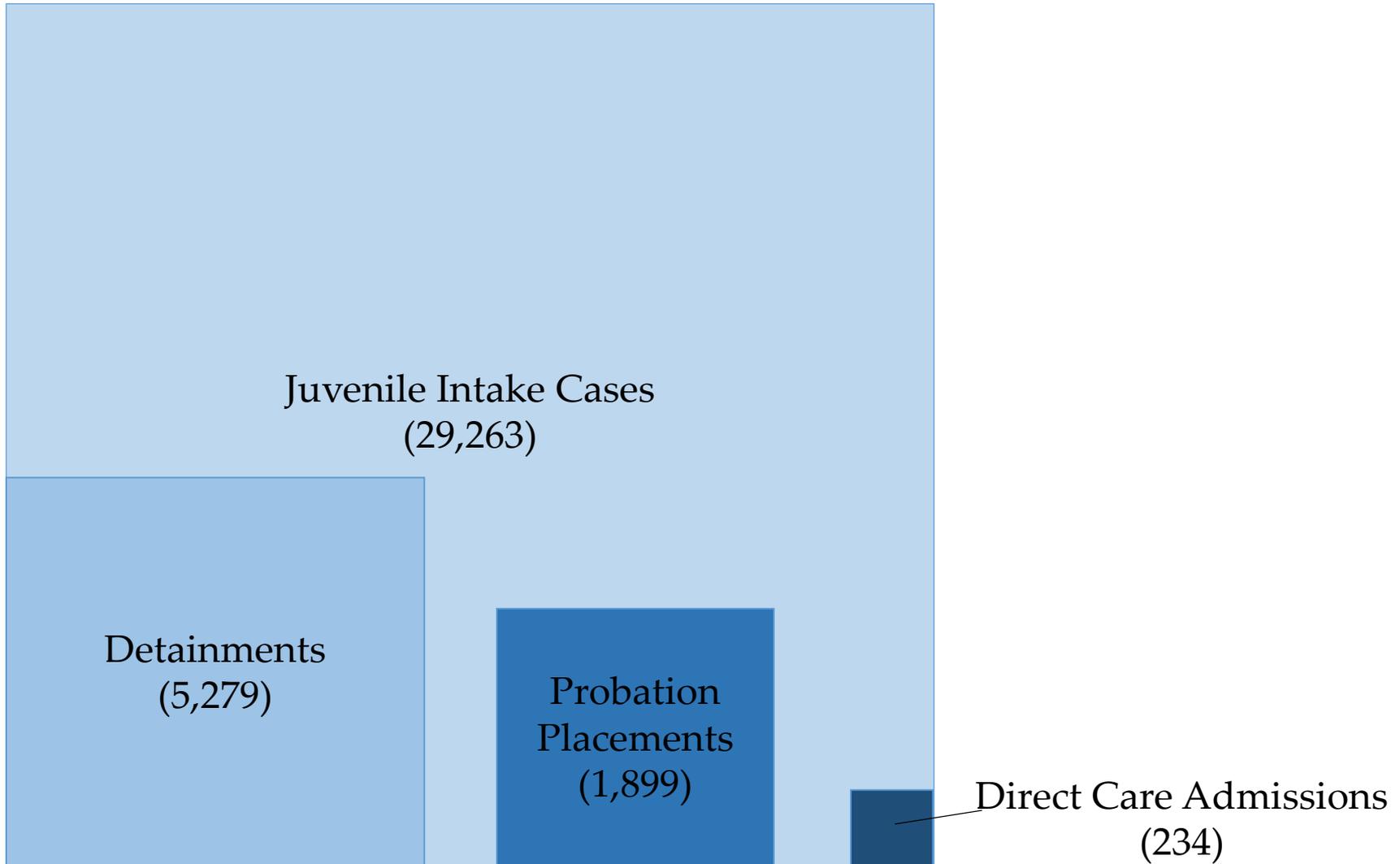
Maintain current protocols and procedures

COVID-19 Impacts

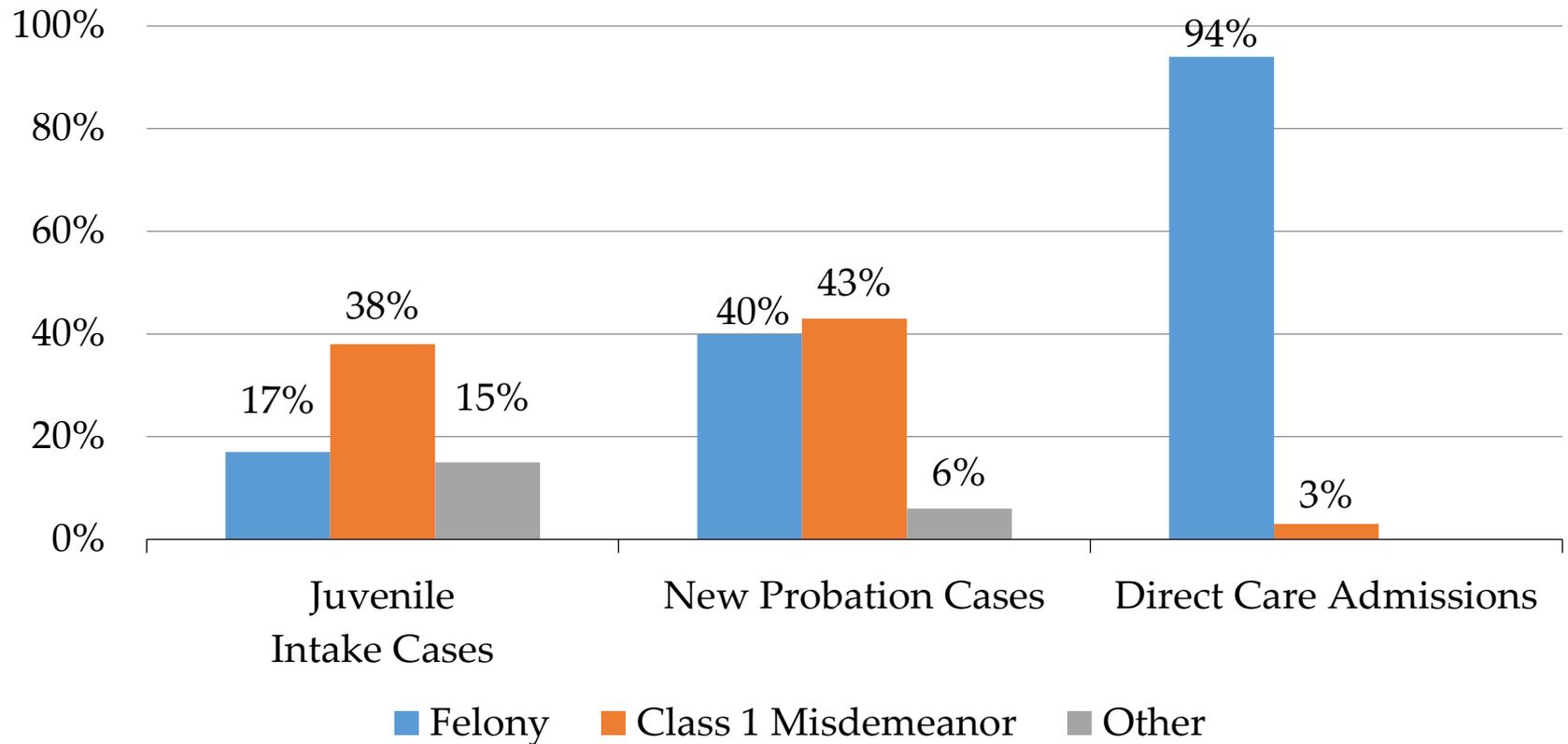


- FY 2020-2021 impacted by pandemic
 - Stay-at-home orders
 - Court operations
 - School closures
 - Secure placement movements
- Future impacts unknown
 - Continuing trends
 - Outcomes

Counts through the System, FY 2020

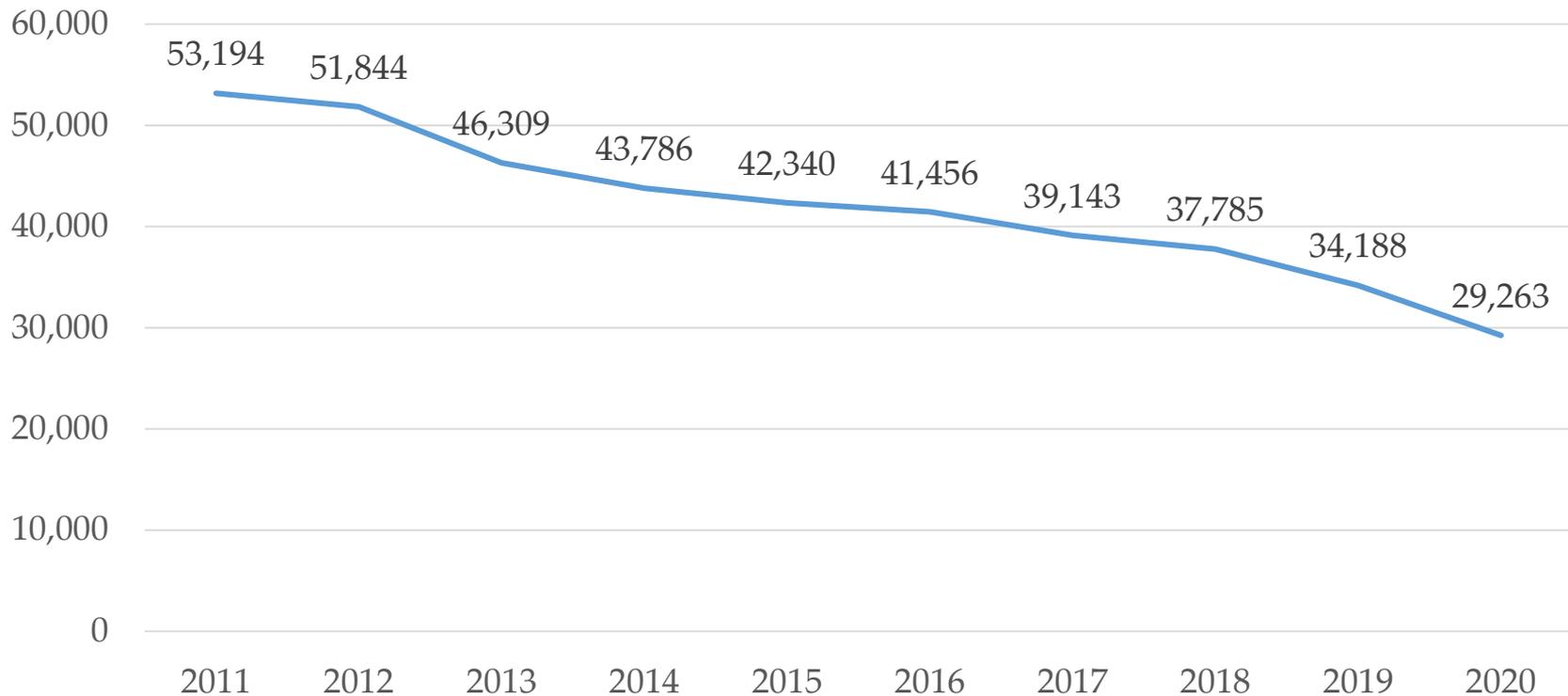


Offense Severities through the System, FY 2020



- Felony offenses account for only 17% of intake cases but 94% of direct care admissions.

Juvenile Intake Cases FY 2011 - 2020



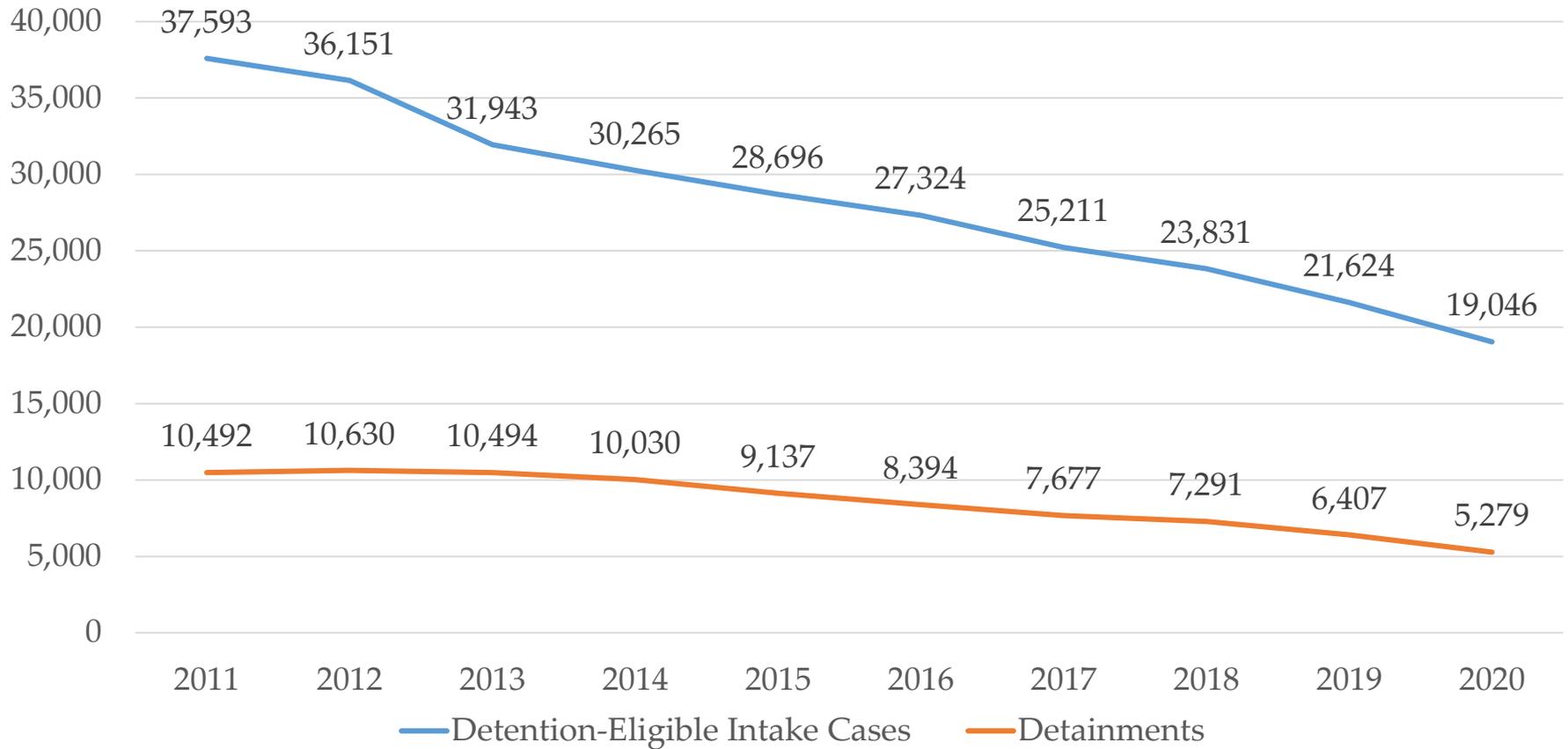
- Intake cases decreased 45% (23,931 cases) since FY 2011.

Intake Cases by Demographics, FY 2020



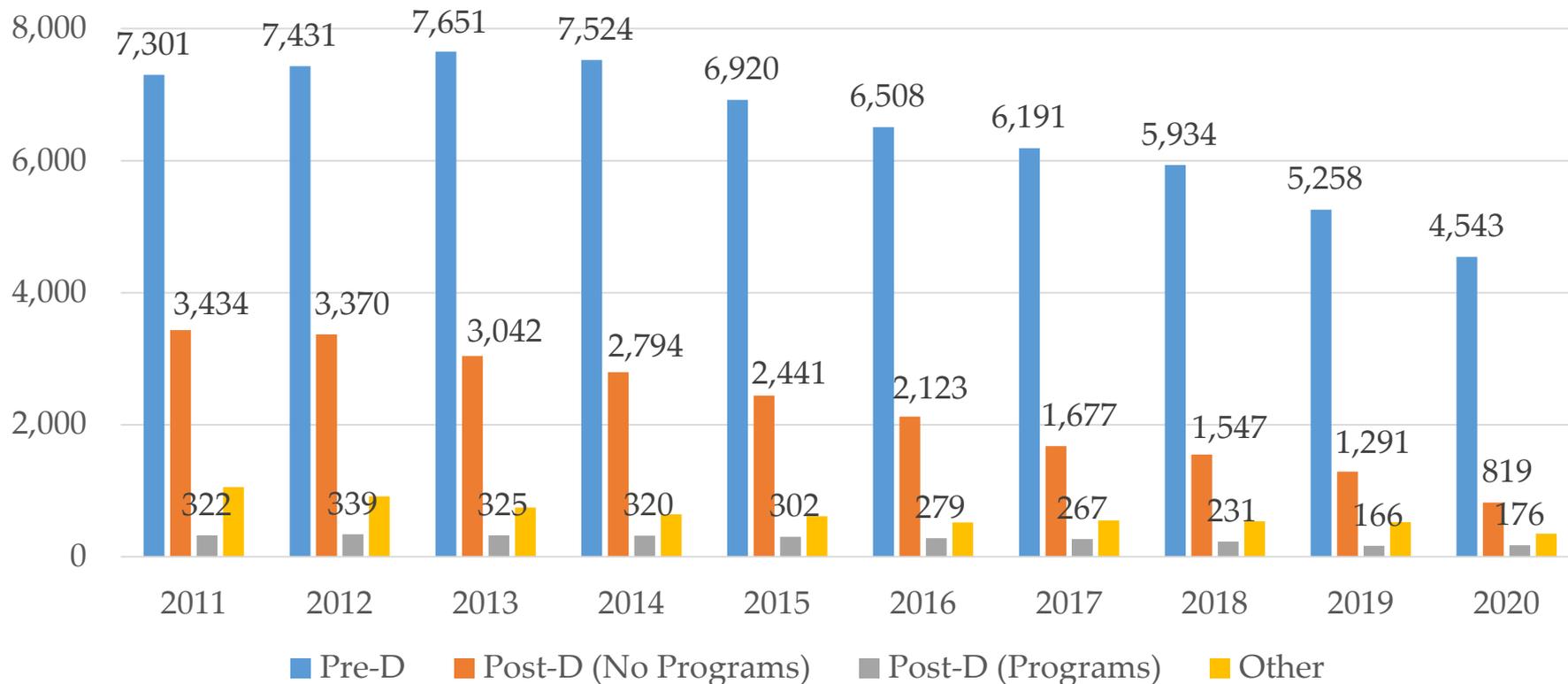
- Average Age: 15.8 years
- Sex
 - Males: 68%
 - Females: 32%
- Race
 - White: 49%
 - Black: 41%

Detention-Eligible Intake Cases and Detainments FY 2011 - 2020



- Detention-eligible intake cases decreased 49% (18,547 cases).
- Detainments decreased 50% (5,213 juveniles) since FY 2011.

Detention Statuses, FY 2011 - 2020

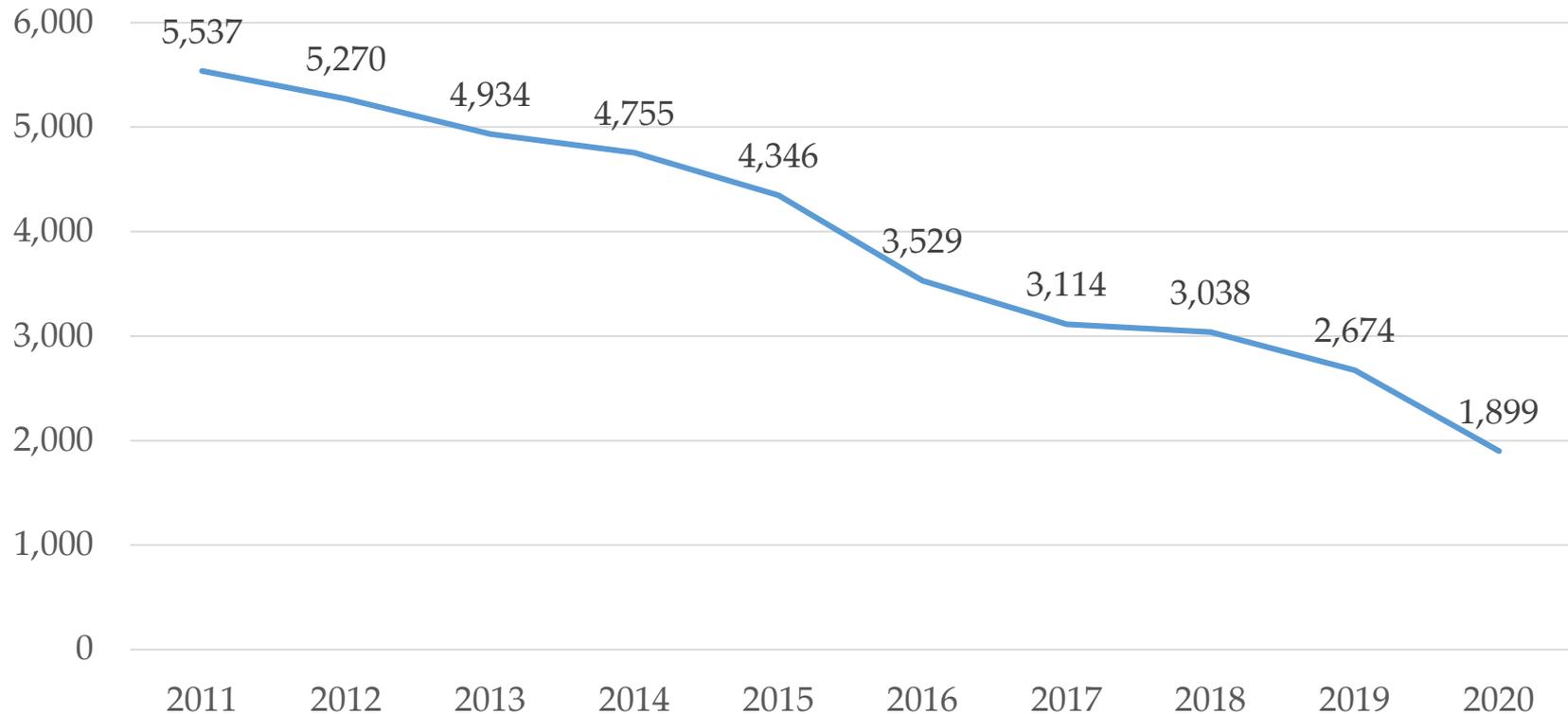


- Pre-D statuses decreased 38% (2,758 youth) since FY 2011.
- Post-D without programs decreased 76% (2,615 youth) since FY 2011.

* Pre-D = Pre-Dispositional; Post-D = Post-Dispositional

* Youth with status changes during their detainment are counted in each status.

Probation Placements, FY 2011 - 2020



- Probation placements decreased 66% (3,638 cases) since FY 2011.

Probation Characteristics, FY 2020



- Average Age:
15.5 years

- Sex

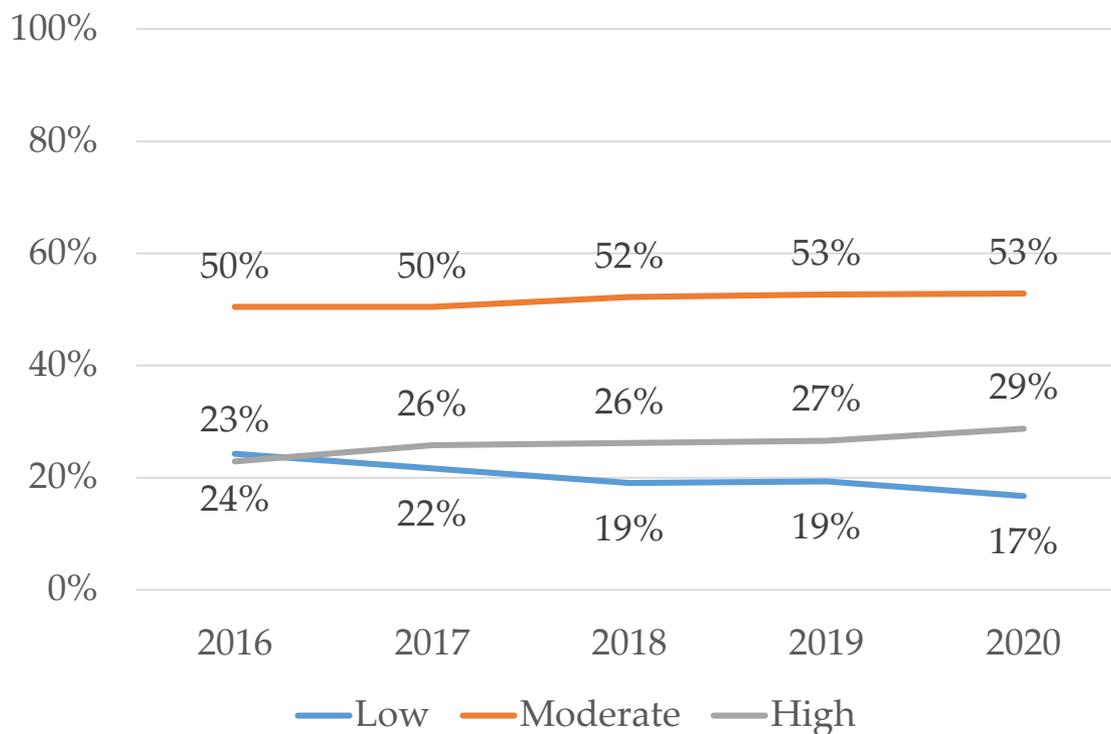
- Males: 78%
- Females: 22%

- Race

- Black: 46%
- White: 45%

- Average LOS:
11.8 months

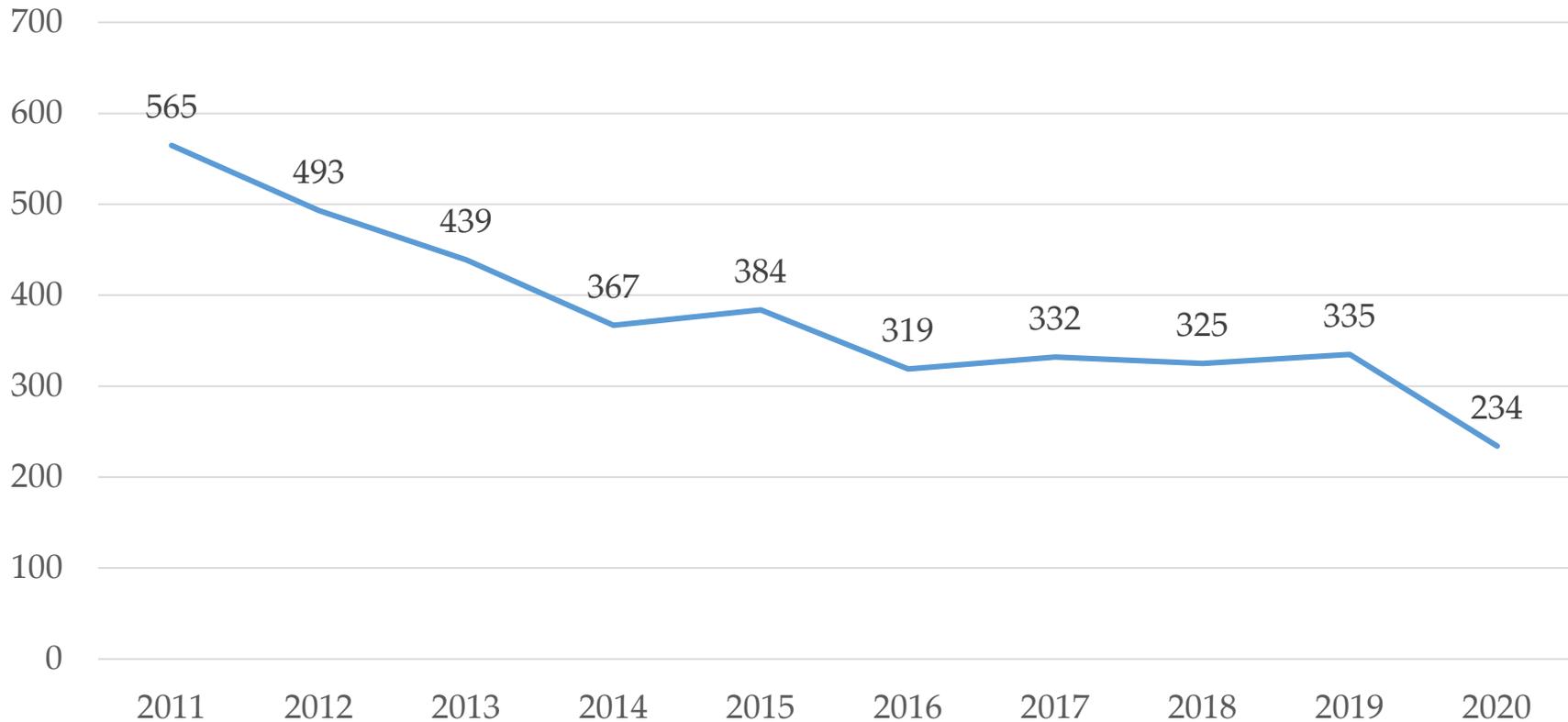
Risk Levels, FY 2016-2020



* LOS = Length of Stay

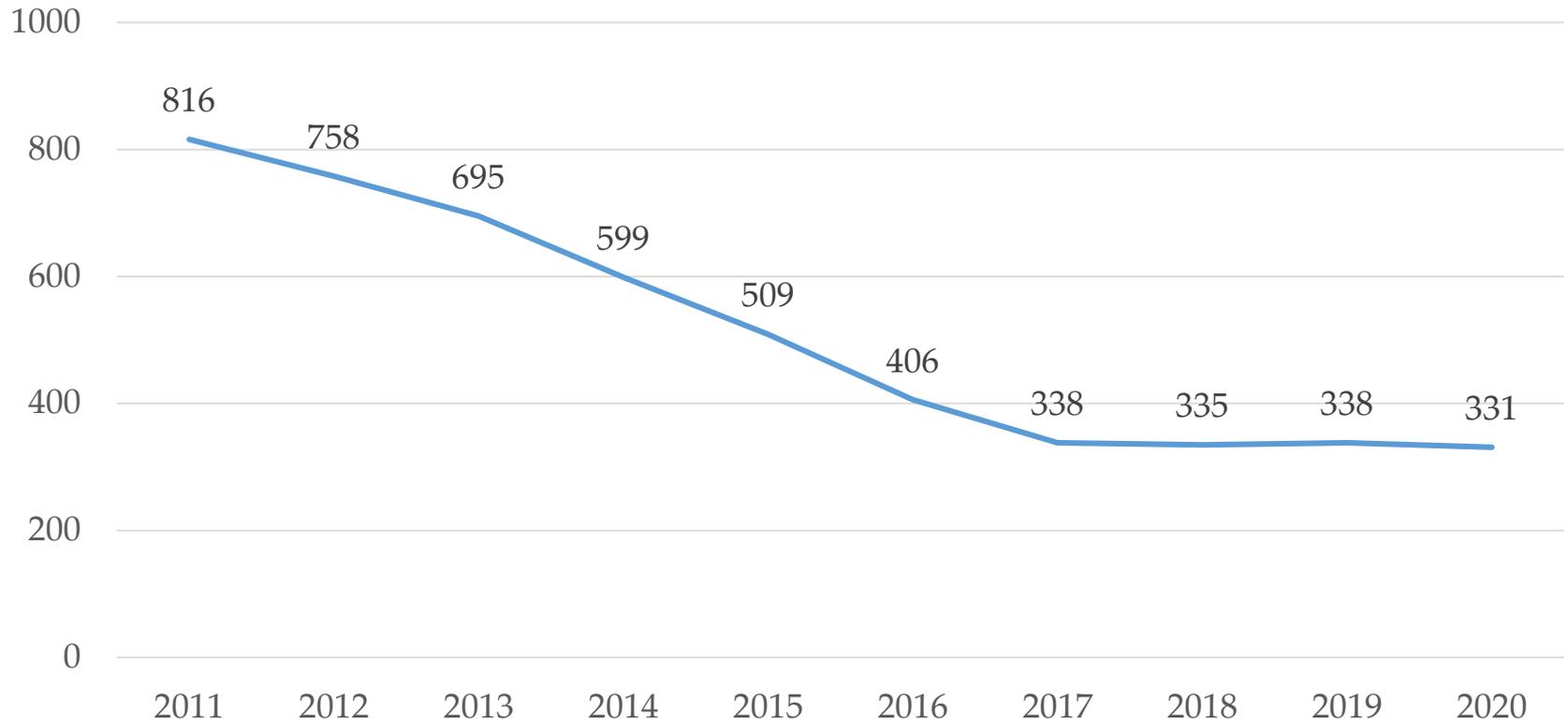
* Percentages may not add to 100% because missing risk levels are not displayed.

Direct Care Admissions, FY 2011 - 2020



- Admissions decreased 59% (331 juveniles) since FY 2011.

Direct Care ADP, FY 2011 - 2020



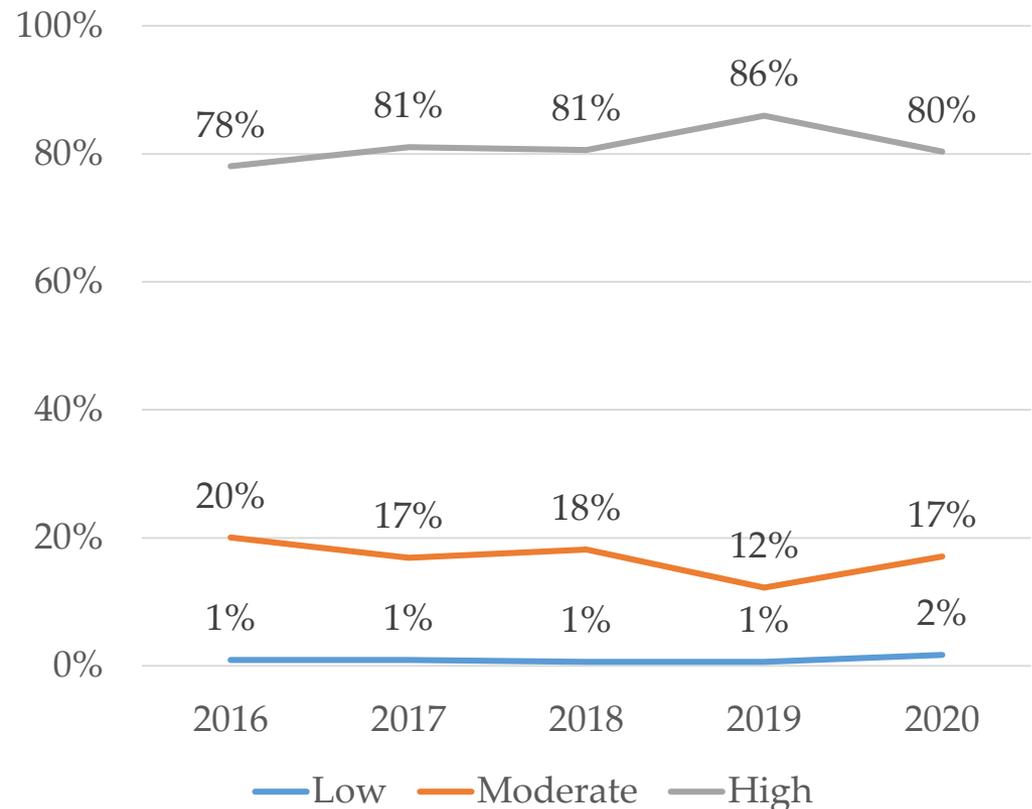
- Direct care ADP decreased 59% (485 juveniles) since FY 2010.

Direct Care Admission Characteristics, FY 2020



- Average Age: 17.0 years
- Sex
 - Males: 97%
 - Females: 3%
- Race
 - White: 26%
 - Black: 68%
- Average LOS:
 - 8.2 months for Ind.
 - 27.2 months for Det./Blended

Risk Levels, FY 2016-2020



Most Serious Committing Offenses, FY 2011 – 2020 Direct Care Admissions



	FY 2011	FY 2016	FY 2020
Felony			
Against Persons	46%	54%	67%
Non-Person Felonies	32%	33%	26%
Class 1 Misdemeanors			
Against Persons	10%	4%	2%
Other	7%	4%	2%
Parole Violation	4%	3%	3%

- Admissions for felonies against persons increased since FY 2011 while other offense severities decreased.

Direct Care Placement Options



Capacity and ADP, FY 2014*

Facility	Capacity	ADP On-Site	ADP Off-Site	ADP Total
JCCs				
Beaumont	234	201	1	202
Bon Air	280	221	2	223
Culpeper	0	94	1	95
Oak Ridge Program	48	36	0	36
RDC	40	33	2	35
<i>JCC Total</i>	<i>602</i>	<i>585</i>	<i>6</i>	<i>591</i>
Halfway Houses				
Abraxas House	0	1	0	1
Hampton Place	0	1	0	2
<i>Halfway House Total</i>	<i>0</i>	<i>3</i>	<i>0</i>	<i>3</i>
CPPs				
Blue Ridge	10	1	0	1
Chesapeake	10	1	0	1
Rappahannock	10	2	0	2
Virginia Beach	10	0	0	0
<i>CPP Total</i>	<i>40</i>	<i>3</i>	<i>0</i>	<i>3</i>
Detention Re-Entry	N/A	2	0	2
State Total	642	593	6	599

* Capacities are determined on the last day of the FY.

Capacity and ADP, FY 2020*

Facility/Placement	Capacity	ADP Total
Bon Air JCC	272	194
Adm./Eval. in JDCs	N/A	26
CPPs	112	94
Blue Ridge	8	9
Chesapeake	10	7
Chesterfield	8	6
Lynchburg	8	7
Merrimac-Females	5	5
Merrimac-Males	8	8
Northern Virginia	8	6
Prince William	8	7
Rappahannock	16	14
Shenandoah Valley	8	6
Virginia Beach	20	18
Contracted Alternatives	N/A	14
Detention Reentry	N/A	3
Total	384	331

* Capacities are determined on the last day of the FY.

- FY 2014: ADP of 599, with 99% (591) in a JCC.
- FY 2020: ADP of 331, with 59% (194) in a JCC.

Family Experiences, FY 2020 Admissions

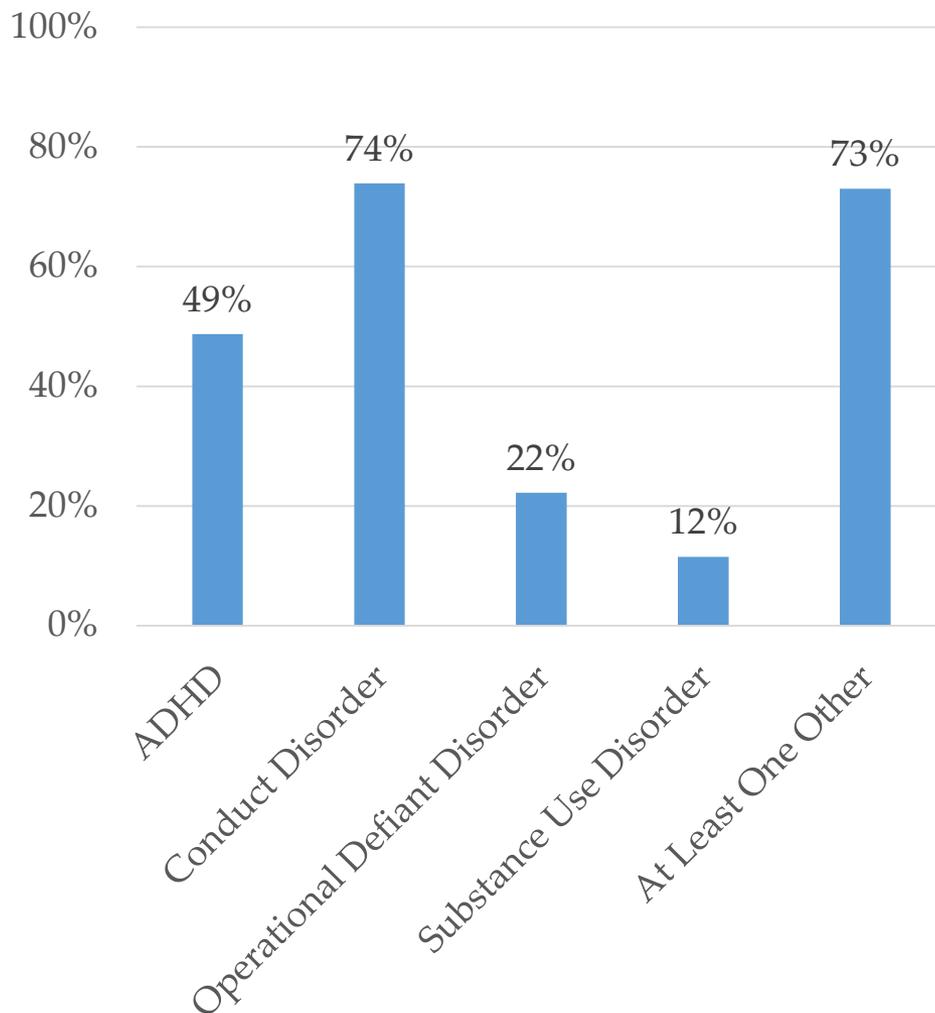


- 59% - parent incarceration
- 56% - parent criminal activity
- 44% - parent substance abuse
- 30% - parent abandonment
- 25% - parent death
- 21% - family domestic violence
 - *83% reported at least one of the above*
 - *47% reported 3 or more of the above*

Mental Health, FY 2020 Admissions

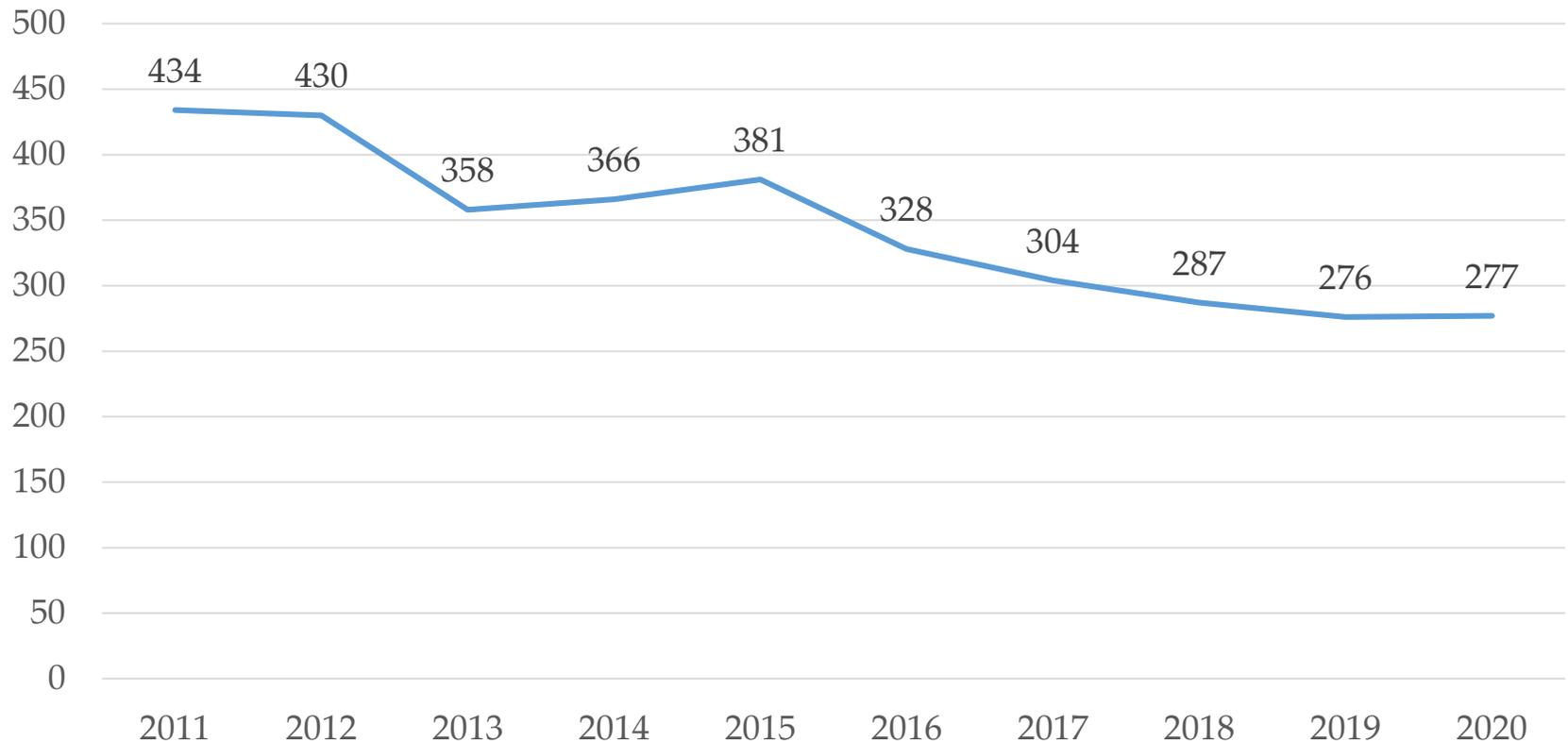


- 95% of youth appeared to have significant symptoms of ADHD, CD, ODD, or substance use disorder.
- 73% appeared to have significant symptoms of at least one other mental health disorder.
- 70% were prescribed psychotropic medications at some point in their lives.



* One juvenile may be included in multiple categories.

Parole Placements, FY 2011 – 2020

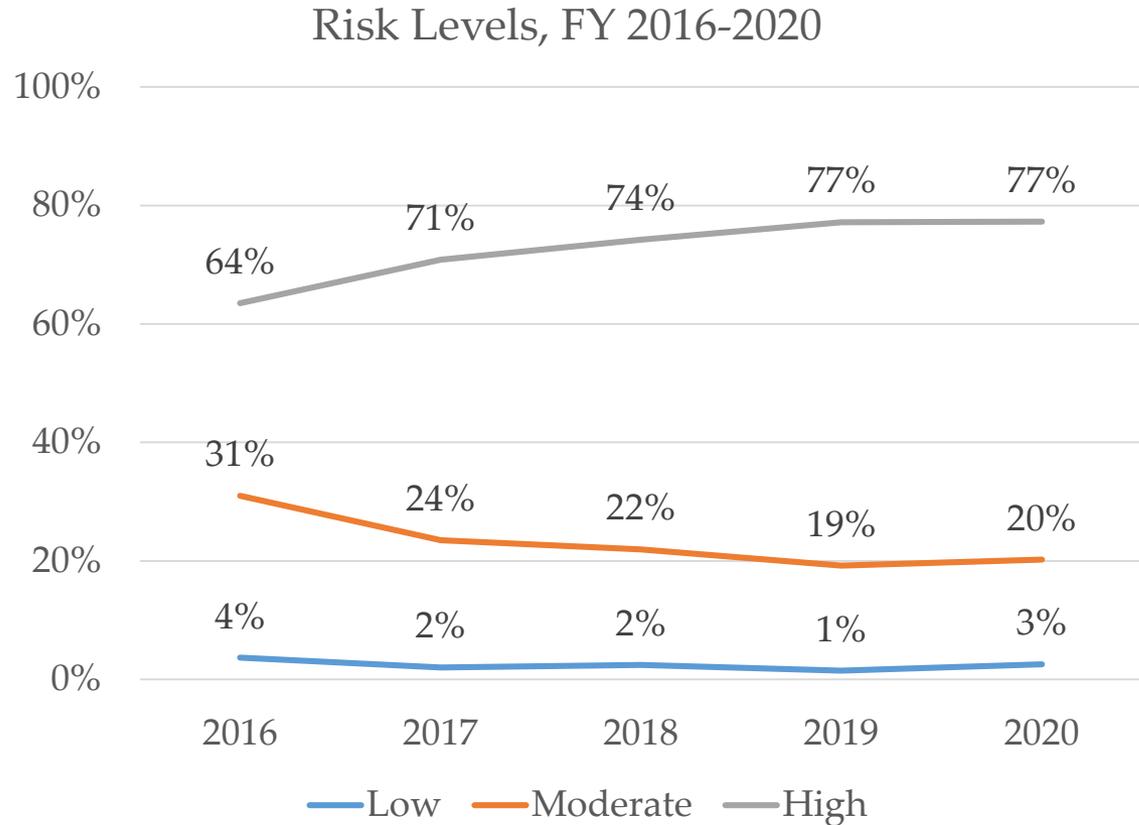


- Parole placements decreased 36% (157 cases) since FY 2011.

Parole Characteristics, FY 2020



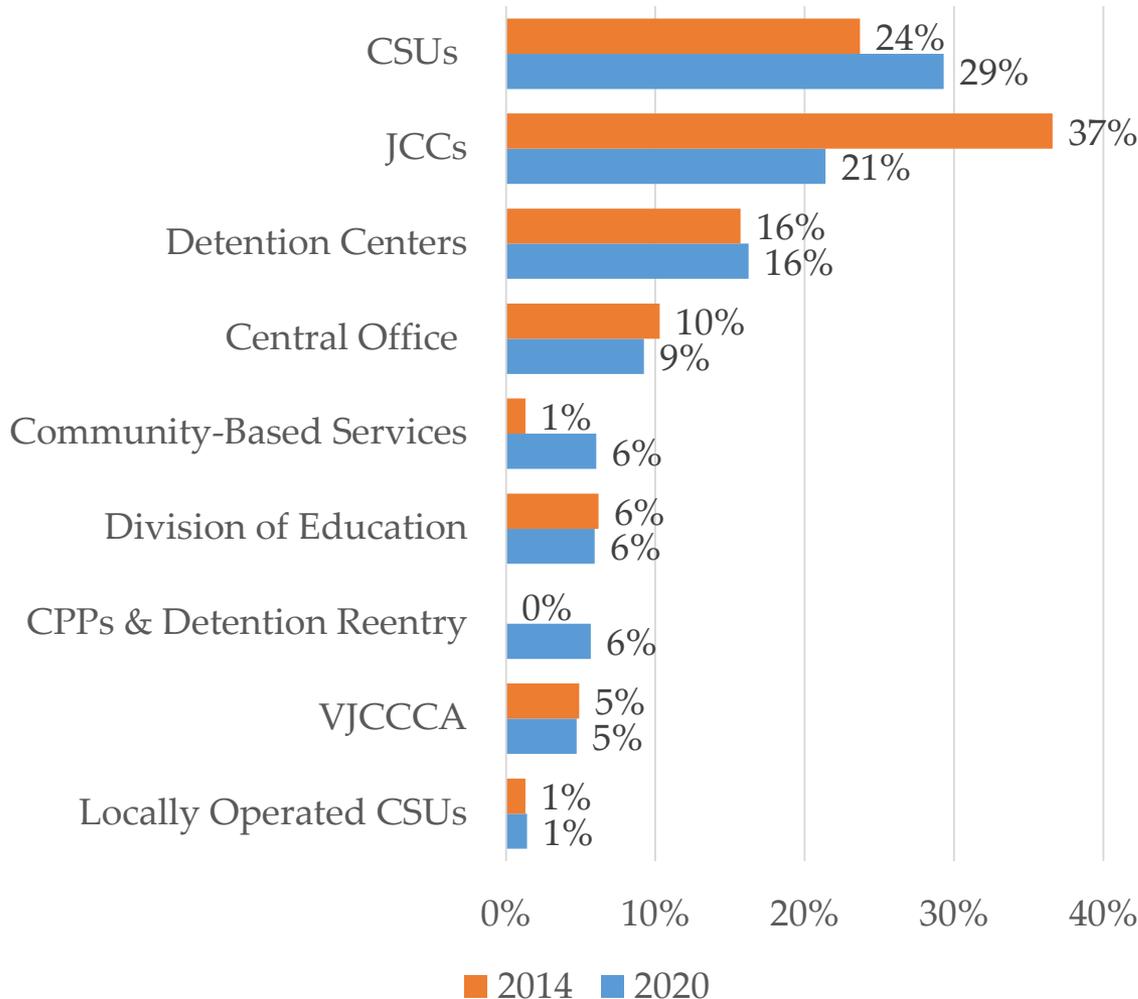
- Average age at placement: 17.2 years
- Average LOS: 10.7 months



* LOS = Length of Stay

* Percentages may not add to 100% because missing risk levels are not displayed

DJJ Expenditures, FY 2014 and FY 2020



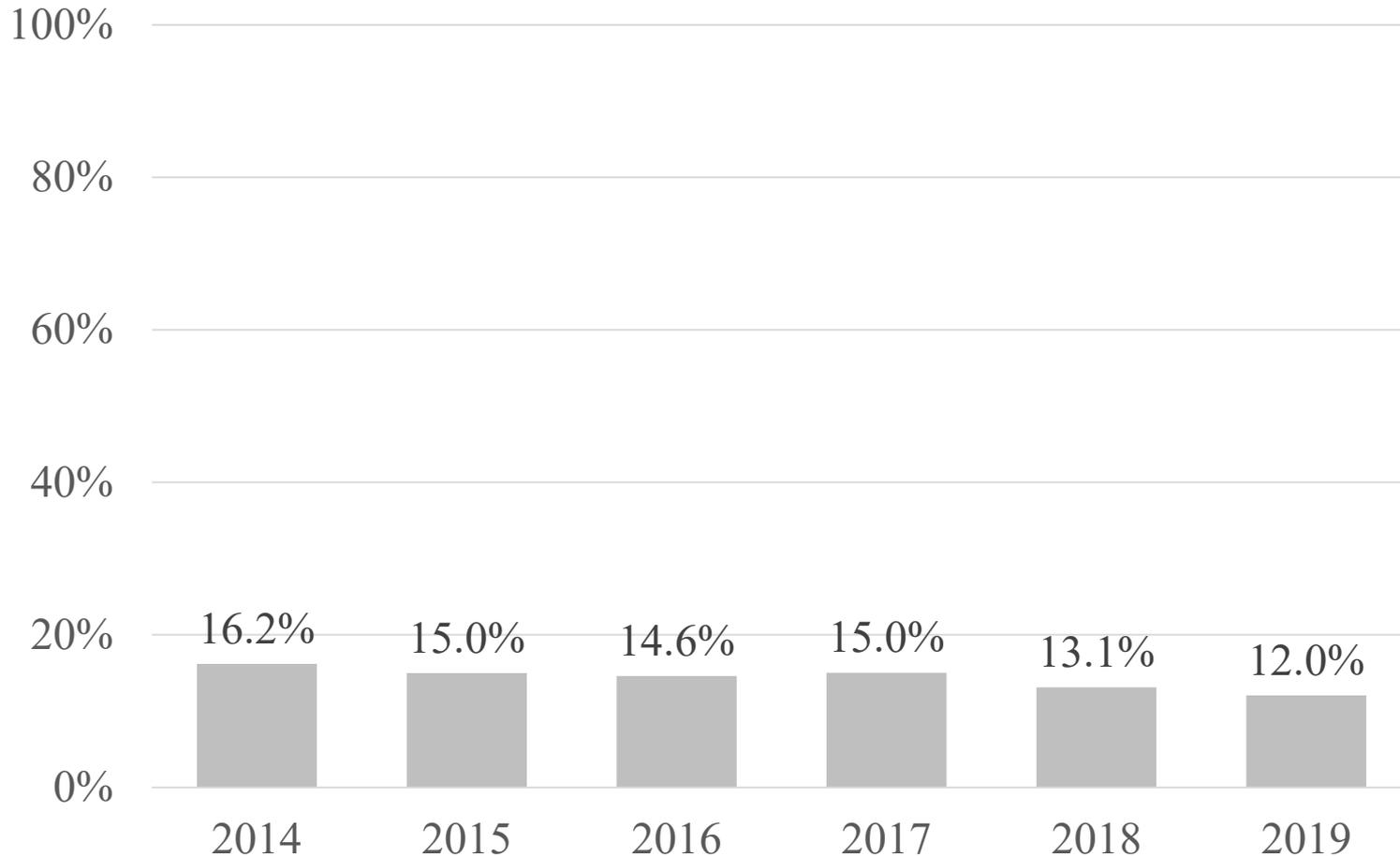
Expenditures (by %) -

- Decreased for JCCs
- Increased for CSUs, community-based services, and non-JCC direct care placements
- RSCs have contracts with more than 140 direct service providers.
 - In FY 2020, 1,666 youth were referred to the RSCs, and 3,398 services were authorized.

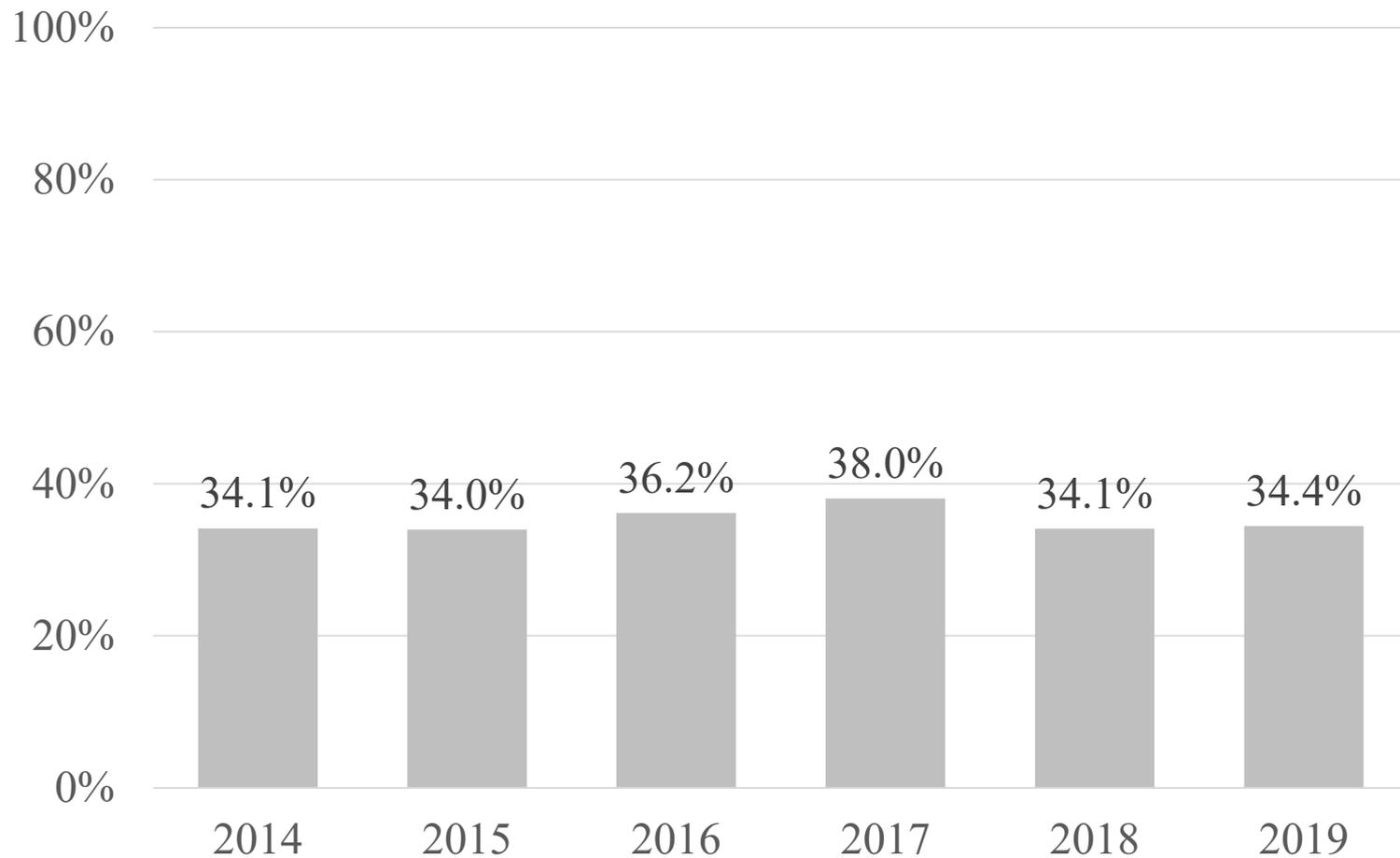
Recidivism



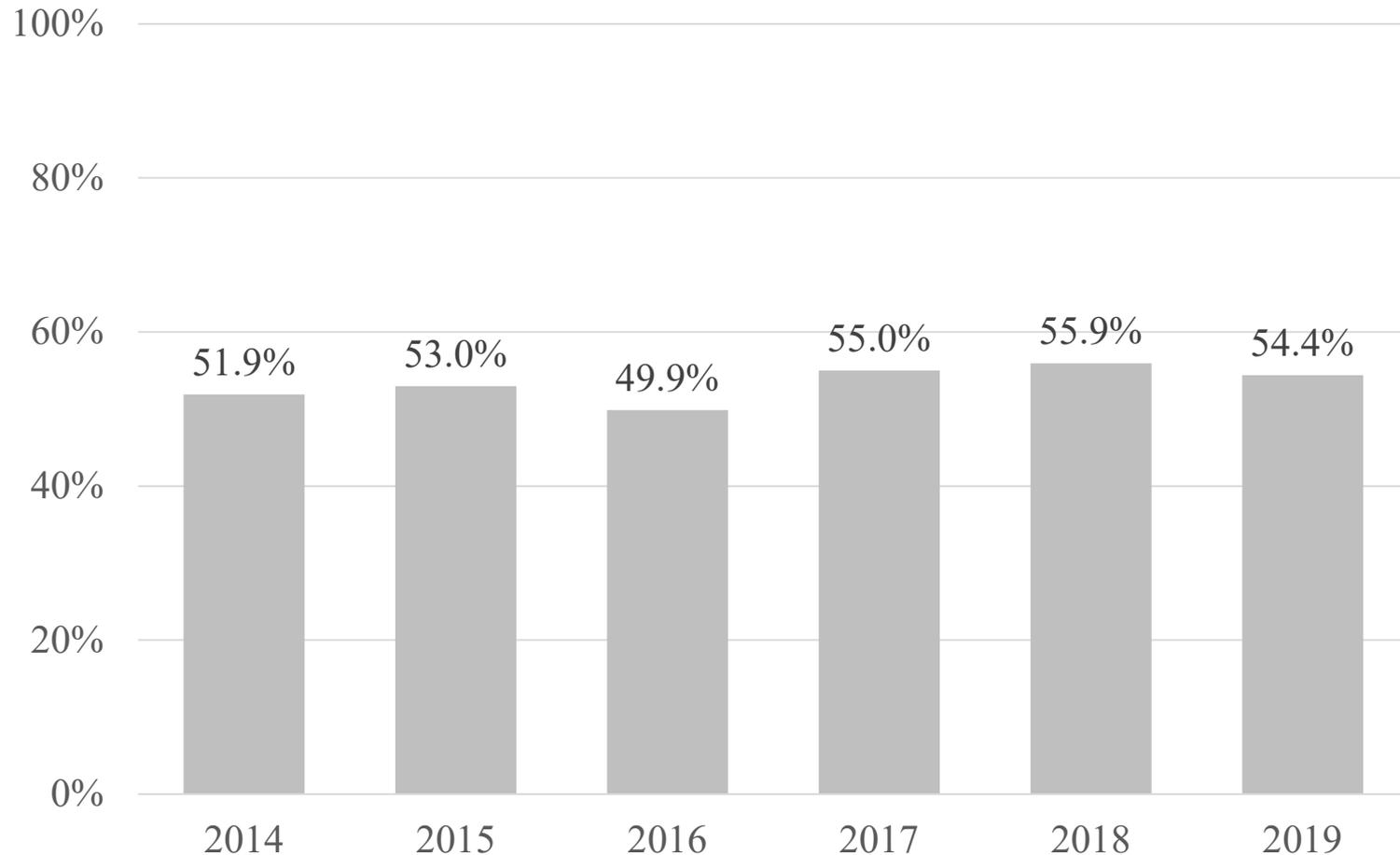
12-Month Rearrest Rates for First-Time Diversion Plans, FY 2014-2019



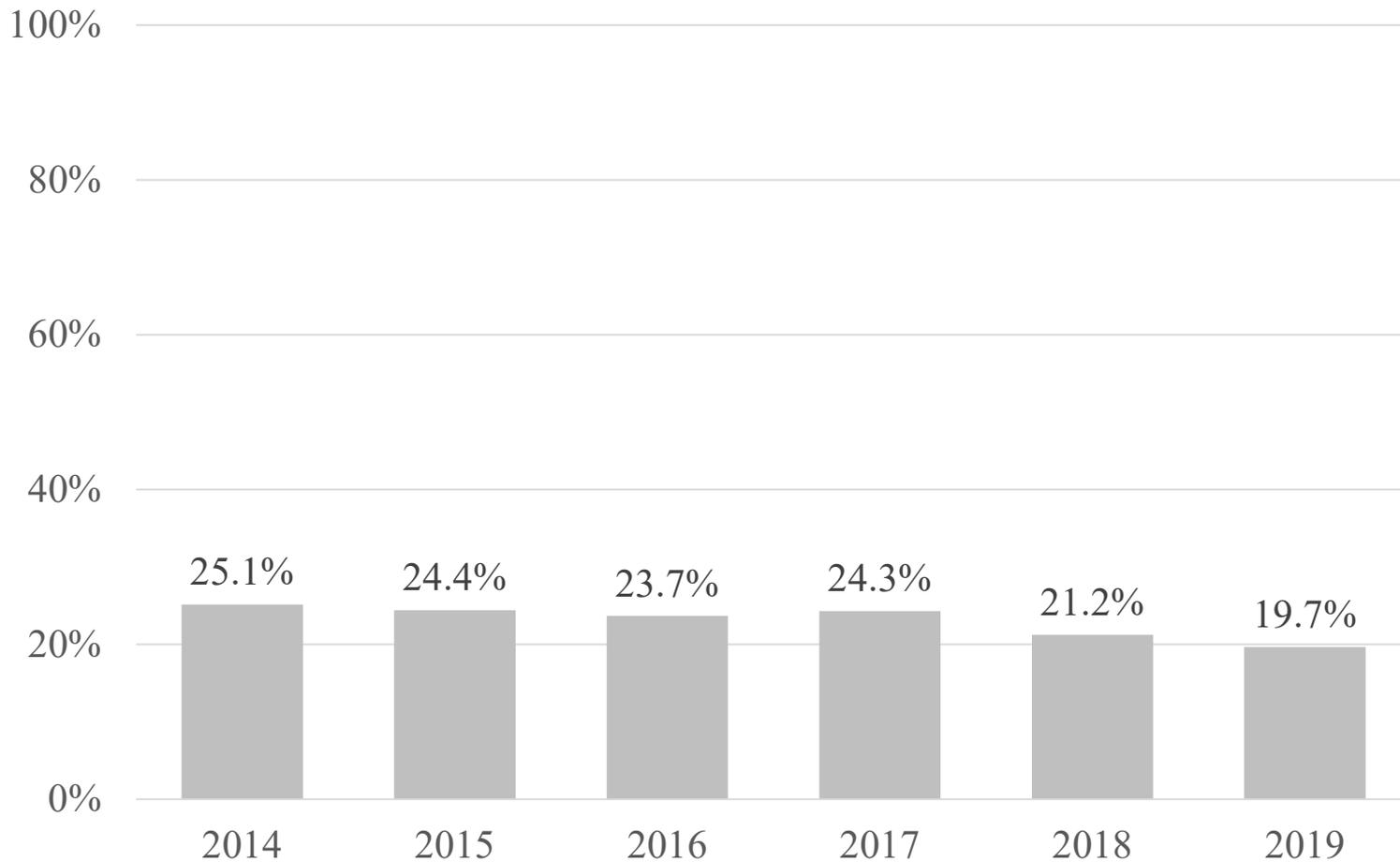
12-Month Rearrest Rates for Probation Placements, FY 2014-2019



12-Month Rearrest Rates for Direct Care Releases, FY 2014-2019



Combined 12-Month Rearrest Rates, FY 2014-2019



* Includes first-time diversions, probation placements, and direct care releases.

Want More Info?





VIRGINIA DEPARTMENT OF JUVENILE JUSTICE

Protecting the public by preparing court-involved youth to be successful citizens

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¿Necesitas vacunarte? Enterate como conseguir tu vacuna Vaccinate.Virginia.gov o llamando al 1-877-829-4682 de 8am a 8pm. Traducción disponible en tu idioma. Usuarios de TTY pueden marcar al 7-1-1.



LATEST DJJ COVID INFORMATION FOR PARENTS AND STAKEHOLDERS

Director's Message -- February 12, 2021

I am pleased to announce a new initiative for the Department of Juvenile Justice. DJJ, in partnership with the University of Virginia School of Law, will be undertaking a project to research and provide guidance on strategies to strengthen and address gaps in gender responsive treatment services for our female population for both community based and residential services. We hope that through this initiative we will create change in the way services are provided to adolescent female offenders and girls in high risk situations across the state.

Andy Block, former DJJ Director and current Director of the State and Local Government Law Clinic at UVA, has offered the services of the clinic and will lead this effort for the University. We believe that the needs of girls must be addressed in a developmentally appropriate manner and reduce involvement so only those who pose a serious threat to public safety move deeper . . .

[Read Full Message . . .](#)



DJJ Family Engagement

We know that having your child involved in the juvenile justice system is probably stressful and difficult for you and them. During their time under our supervision or custody we want you to know that DJJ is committed to fostering consistent communication between you, your child, and DJJ staff. This communication and partnership is vital to getting your young person back on the right track and on with their life.

We want to be a resource for you during this challenging time, and support your efforts to continue to serve as a resource for your child, whether they are still at home or placed elsewhere. Clicking on the links below will help you understand more about our system and expectations, and give you more tools to help you through this process.

- [Visitation Now Available](#)
- [Court Do's and Don'ts](#)
- [Juvenile Justice Process](#)
- [Prison Rape Elimination Act \(PREA\) Information](#)
- [Free Transportation to DJJ Facilities](#)
- [JCC Visitation Rules and Privileges](#)
- [Resident Handbook](#)
- [Resident Handbook - Spanish](#)
- [Length of Stay Guidelines](#)

[Read more](#)

[Contact Us](#)

DJJ Resources

The more we know about the youth we serve, the more effective we can be in providing services and support that will make them successful. DJJ's Legislative and Research Department designs and coordinates a wide variety of reports, executed via an exhaustive examination of available data and a thorough review of the most up-to-date literature and best practices in the juvenile justice field.

- [COVID-19 Resources for Parents and Stakeholders](#)
- [Bon Air JCC COVID-19 FAQs](#)
- [School Reopening Plan](#)
- [DJJ Strategic Framework](#)
- [Juvenile Correctional Center Task Force - Final Report](#)
- [Department of Juvenile Justice Transformation Plan – 2020 Update](#)
- [Profile of Committed Juveniles](#)
- [Data Resource Guide](#)
- [Requests For Information](#)
- [News Room](#)



[Additional Resources](#)

Data Resource Guide



- System/Agency Overview
- CSUs
- VJCCCA
- Juvenile Detention Centers
- Direct Care
- Special Topics
- Trends & Forecasts
- Recidivism
- Expenditures & Staffing

PUBLIC COMMENT



DIRECTOR'S CERTIFICATION ACTIONS

Mike Favale, Legislative and Policy Director,
Department of Juvenile Justice



DIRECTOR REMARKS

Valerie P. Boykin
Department of Juvenile Justice



BOARD COMMENTS

NEXT MEETING: June 16, 2021

ADJOURN

